



PLANNING COMMISSION

Department of Urban Planning & Design • P.O. Box 27210 • Tucson, AZ 85726-7210

DATE: January 18, 2006

TO: Planning Commission

FROM: Albert Elias, AICP, Executive Secretary

SUBJECT: *Broadway-Craycroft Area Plan Amendment*
PA-06-04, Swan Road/Fleur de Lis - Office
Study Session (Ward 6)

Issue: This is a request by Marjorie Schaeffer, owner of Fleur de Lis Institute, classified as a Postsecondary Institution use in the *Land Use Code (LUC)*, to amend the *Broadway-Craycroft Area Plan* to allow an office use located on the southeast corner of Swan Road and Calle Jabali. The applicant seeks to remedy a zoning violation by first amending the land use plan to allow office uses and then rezoning the site from Residential (R-1) to Office (O-2) zoning (the first zone in the *LUC* hierarchy that would allow the Postsecondary Institution land use for a site this size).

A copy of the land use and zoning map is provided as Attachment A. A copy of an aerial photograph of the site and surrounding areas is provided as Attachment B. A copy of the plan amendment application is provided as Attachment C. A copy of the Broadway-Craycroft Area Plan Land Use Concept Map is provided as Attachment D.

Recommendation: It is recommended that the Planning Commission set this item for public hearing on January 18, 2007.

Broadway-Craycroft Area Plan: Provides policy direction for a three square mile area in the central part of Tucson. The L-shaped *Plan* area is bounded by Speedway Boulevard and Broadway Boulevard on the north; 22nd Street on the south, Craycroft Road and Wilmot Road on the east; and Swan Road on the west. The amendment site is along the western edge of the *Plan* area. It was adopted in 1988, and has not been amended.

Existing Zoning and Land Uses: The R-1 zoned amendment site is approximately 291 feet wide and about 530 long (3.9 acres +/-). The site is currently be used as a landscaping design institute (postsecondary institution use). The site has a 3500 square foot building that contains classrooms and offices. There is a large walled garden on the north side of the site. Parking is on the south side of the building.

Directly north and east of the amendment site, is the Aldea Linda Subdivision. These neighbors would be most affected by this proposed land use change.

Directly to the south are commercial uses – C-2. Directly across Swan Road are commercial and residential uses (C-2 and R-1)

Land Use Plan Policy Summary: The *Broadway-Craycroft Area Plan* supports residential use on this parcel. Non-residential land use in the Broadway-Craycroft area plan should be located as designated by Map (see attachment D). Swan Road is designated as an arterial street. These policies encourage non-residential development at a location that preserve, enhance, and complements adjacent residential uses. *General Plan* policies support non-residential uses adjacent to residential neighborhoods if the non-residential use is designed to be compatible with the residential use.

Public Contact: Staff has not been contacted directly by any members of the general public about this proposed land use amendment. However, the applicant has received a letter of support from the Toumey Park Neighborhood Association (see attachment E).

Discussion: It is important to note that the project site is part of the Aldea Linda Subdivision in which the CC&R's allow for this site (Lot 6) to be used for educational and artistic uses, or residential use. Historically, Lot 6 has been used at one time or another for religious, artistic, and educational use. Prior to the existing postsecondary use as a landscape institute, the site was used for a charter school. However, the land use code has evolved and changed over the years as to permitted and allowed land uses for various zones.

The applicant is requesting a plan amendment to the Broadway-Craycroft Area Plan in response to a zoning violation. The applicant has since removed a modular building that was used for additional office space. The Zoning Administrator determined that the existing Fleur de Lis Institute of Landscape Design school is a Postsecondary Institution land use. Although the applicant's site, which is currently zoned "R-1", a residential designation, allows for this use, this site does not meet the minimum site size requirement of five acres. Consequently the existing school is considered a non-conforming use for zoning purposes. In order for the applicant's landscape design school to continue operation, this site needs to be rezoned to "O-2", an office designation, which is the first zone in the *LUC* hierarchy that would allow the Postsecondary Institution land use for a site this size.

Consequently, the Broadway-Craycroft Area Plan Land Use Concept Map needs to be amended to identify office use for this site before the applicant can apply for "O-2" zoning.

Conclusion: It is recommended that the Planning Commission set this item for public hearing in January. Staff will review the proposed amendment and make a recommendation to the Commission based on *Broadway-Craycroft Area Plan* objectives, *General Plan* policies, information provided by the applicant, and other relevant information.

AE:JB\jb

Attachments:

Attachment A – Zoning and Land Use Map

Attachment B – Aerial Photograph of Site and Surrounding Areas

Attachment C – Plan Amendment Application

Attachment D – *Broadway-Craycroft Area Plan* Land Use Concept Map and Pertinent Policies

Attachment E – Support Letter from Toumey Park Neighborhood Association